Number 3 Thursday, March 4, 2010

Introduction and Reference

By the Rules & Calendar Council; Representative Galvano—

HB 7077—A bill to be entitled An act relating to legislative advisory bodies; repealing ss. 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07, 13.08, and 13.09, F.S., relating to the Florida Commission on Interstate Cooperation, the Senate Committee on Interstate Cooperation, the House of Representatives Committee on Interstate Cooperation, the Joint Legislative Committee on Interstate Cooperation, the Governor's Committee on Interstate Cooperation, informal designations of such legislative committees and the Florida Commission on Interstate Cooperation, the functions, powers, and duties of the commission, and the Council of State Governments, respectively; renumbering s. 13.10, F.S., relating to state commissioners to the National Conference of Commissioners on Uniform State Laws; repealing part II of ch. 13, F.S., relating to the Florida Legislative Law Revision Council; amending s. 590.33, F.S.; revising provisions for the appointment of members to the Southeastern Interstate Forest Fire Protection Compact to conform to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Governmental Affairs Policy Committee; Representative Frishe-

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., which provides an exemption from public records requirements for certain information regarding voters and voter registration and which provides an exemption from the copying requirements for signatures of voters and voter registrants; making clarifying changes; repealing s. 3, ch. 2005-279, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Government Accountability Act Council; Representative Culp-

HB 7081—A bill to be entitled An act relating to a review of the Department of Children and Family Services under the Florida Government Accountability Act; reenacting and amending s. 20.19, F.S., relating to the establishment of the department; changing the name of the Department of Children and Family Services to the Department of Children and Families; revising provisions relating to the establishment and structure of, and services provided by, the department; providing for operating units called circuits that conform to the geographic boundaries of judicial circuits; providing for the establishment of and requirements for membership and participation in community alliances and community partnerships; amending s. 20.04, F.S.; authorizing the department to establish circuits or regions headed by circuit administrators or region directors and deleting a requirement for statutory enactment for additional divisions or offices in the

department; amending s. 20.43, F.S.; revising provisions relating to service area boundaries; amending s. 39.001, F.S.; providing an additional purpose of ch. 39, F.S., relating to proceedings relating to children; amending s. 394.47865, F.S.; deleting provisions relating to distribution of privatization savings to specified service districts to conform to changes made by the act; amending s. 394.655, F.S.; extending the expiration date of the Substance Abuse and Mental Health Corporation; amending s. 394.78, F.S.; deleting an obsolete provision relating to dispute resolution; amending s. 402.313, F.S.; revising licensure requirements for family day care homes; amending s. 402.315, F.S.; requiring the county, rather than the department, to bear the costs of licensing family day care homes, under certain circumstances; amending s. 420.621, F.S.; revising the definition of the term "district" to conform to changes made by the act; amending s. 420.622, F.S.; deleting a requirement for the Governor to appoint the executive director of the State Office of Homelessness; conforming a provision; amending ss. 39.01, 39.0121, 39.301, 39.302, 39.303, 39.806, 39.828, 381.0072, 394.493, 394.4985, 394.67, 394.73, 394.74, 394.75, 394.76, 394.82, 394.9084, 397.821, 402.49, 409.152, 409.1671, 409.1755, 410.0245, 410.603, 410.604, 411.224, 414.24, 415.1113, 420.623, 420.625, 429.35, and 1002.67, F.S.; revising provisions to conform to changes made by the act; correcting crossreferences; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 402.35, F.S., which provides for department employees to be governed by Department of Management Services rules; directing the Division of Statutory Revision to prepare a reviser's bill; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Services Policy Committee; Representative Kreegel-

HB 7083-A bill to be entitled An act relating to child support enforcement; amending s. 61.13, F.S.; deleting a reference to health insurance with respect to a proceeding to determine each parent's share of a child's medical-support-only obligation; providing the procedure for child support payments to be paid through the depository; clarifying that income deduction payments are required to be paid to the State Disbursement Unit; amending s. 61.30, F.S.; authorizing the Department of Revenue to provide documentation of the income of a parent receiving public assistance to the court under certain circumstances; amending s. 382.015, F.S.; authorizing the Office of Vital Statistics to amend a birth certificate to include the name of the legal father when a final judgment of dissolution of marriage requires the former husband to pay support for the child; amending s. 382.016, F.S.; authorizing the Office of Vital Statistics to amend a child's birth certificate to include the name of the legal father upon receipt of a marriage license that identifies the registrant; amending s. 409.2558, F.S.; creating additional priorities for processing undistributable collections; authorizing the Department of Revenue to retain uncashed checks or closed Title IV-D case

balances of child support collections under \$1; amending s. 409.256, F.S.; revising the definitions of the terms "custodian" and "putative father"; permitting a person ordered to appear for genetic testing to contest the order by filing a written request for informal discussion within a specified time period; amending s. 409.2563, F.S.; revising the definition of the term "caretaker relative"; conforming terminology; conforming a reference; amending s. 409.25635, F.S.; authorizing the Department of Revenue to collect noncovered medical expenses in installments by issuing an income deduction notice; amending s. 409.2564, F.S.; deleting the requirement for reducing the child support guideline amount for retroactive support by 25 percent; providing a process for court hearings relating to support order reviews; requiring the department, rather than the Title IV-D agency, to review and take certain actions with respect to child support orders; providing for modification of a child support order; requiring the department to file a petition to modify the order and specified financial documentation under certain circumstances; providing procedures for a party to obtain a court hearing; amending s. 409.2567, F.S.; authorizing the Department of Revenue to seek a waiver from certain application requirements from the United States Department of Health and Human Services under certain conditions; amending s. 409.259, F.S.; extending the deadline for implementing electronic filing in Title IV-D cases to coincide with completion of the department's Child Support Automated Management System II; amending s. 409.910, F.S.; authorizing the Agency for Health Care Administration to provide health insurance information to the Department of Revenue for administering the Title IV-D program; requiring the agency and the department to enter into a cooperative agreement to implement the requirement; amending s. 414.095, F.S.; requiring a family to assign rights to receive certain financial support to the Department of Revenue, rather than the Department of Children and Family Services, as a condition of receiving temporary cash assistance; amending s. 741.01, F.S.; providing that an application for a marriage license must allow both parties to the marriage to state under oath and in writing if they are the parents of any child born in the state and to identify any child they have in common; requiring the name of any child recorded by both parties to be transmitted to the Department of Health; amending ss. 63.054, 63.0541, 63.062, 63.085, 63.089, 88.2011, 409.2572, and 742.021, F.S.; conforming references to changes made by the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hukill-

HR 9001—A resolution recognizing November 15-21, 2010, as "Spinal Cord Injury Awareness Week" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Culp-

HR 9003—A resolution recognizing the week of June 21-25, 2010, as "Humane Society Appreciation Week" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Porth-

HR 9005—A resolution recognizing August 10, 2010, as "Little People of America Day" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative McBurney-

HR 9007—A resolution recognizing and honoring the outstanding public service and lifetime achievements of Frederick H. Schultz.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Renuart—

HR 9009—A resolution commending the osteopathic physicians of this state and designating April 14, 2010, as "Osteopathic Medicine Day" in the State of Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Porth—

HR 9011—A resolution designating May 2010 as "Amyotrophic Lateral Sclerosis Awareness Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Council and Committee Substitutes by Publication

By the Finance & Tax Council; Representatives Jenne and Hudson-

CS/HB 109—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; excluding certain unpaid indebtedness from the taxable consideration for short sales of real property; defining the term "short sale"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Agriculture & Natural Resources Policy Committee; Representatives Anderson, Heller, and Porth—

CS/HB 301—A bill to be entitled An act relating to locksmith services; creating part XII of ch. 559, F.S.; providing a short title; providing findings and purpose; providing definitions; providing exemptions from the application of the part; requiring the licensure of locksmith services businesses and locksmith referral services by the Department of Agriculture and Consumer Services; specifying licensure and application requirements; requiring license fees; authorizing the waiver or reduction of fees under certain circumstances; providing for expiration of licenses; requiring fingerprinting and background screening for criminal records checks of the owner and certain other persons affiliated with a locksmith services business; specifying background screening requirements; disqualifying certain persons from performing locksmith services based upon background screening; requiring the Department of Law Enforcement to retain the fingerprints and search arrest records against the fingerprints; requiring fees for background screening; requiring the Department of Law Enforcement to provide certain records to the Department of Agriculture and Consumer Services upon request; authorizing licensure by endorsement under certain circumstances; providing license renewal requirements and procedures; providing for the denial, suspension, revocation, or refusal to renew a license under certain circumstances; requiring a locksmith services business to maintain liability insurance; prohibiting the performance of locksmith services except by certain persons; authorizing locksmiths, automotive-only locksmiths, and apprentice locksmiths to perform locksmith services under certain circumstances; establishing qualifications and training requirements for locksmiths, automotive-only locksmiths, and apprentice locksmiths; requiring locksmith services businesses to keep certain records and issue photo identification cards to locksmiths, automotive-only locksmiths, and locksmith apprentices; requiring display of photo identification cards and licenses; requiring a locksmith services business to display its license, license number, and other information in all advertising; requiring a locksmith services business to accept certain methods of payment and keep certain business records; authorizing the review of records by the department; specifying certain prohibited acts relating to the operation of a locksmith services business; providing civil penalties and remedies; providing administrative remedies and penalties; providing that a violation of the act is a deceptive and unfair trade practice; providing criminal penalties; requiring the department to adopt rules; providing for the deposit and use of certain

funds; preempting to the state the regulation of locksmith services, locksmiths, and locksmith services businesses; prohibiting the issuance or renewal of local business tax receipts to locksmith services businesses except under certain circumstances; creating the Florida Locksmith Services Advisory Council within the department; providing membership and terms; providing operating procedures and duties; requiring the department to provide administrative and staff support; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Agriculture & Natural Resources Policy Committee; Representative Poppell—

CS/HB 569—A bill to be entitled An act relating to landfills; amending s. 403.708, F.S.; authorizing the disposal of yard trash at specified Class I landfills; requiring such landfills to obtain a modified operating permit; requiring permittees to certify certain collection and beneficial use of landfill gas; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Military & Local Affairs Policy Committee; Representatives Aubuchon and Zapata—

CS/HB 665—A bill to be entitled An act relating to affordable housing; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; providing additional policy guidelines under the state housing strategy for the development of programs for housing production or rehabilitation; including the needs of persons with special needs in the strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; requiring a specified review committee to include projects that reserve units for persons with special needs in its evaluation and competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming crossreferences; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Agriculture & Natural Resources Policy Committee; Representatives Garcia, Abruzzo, Pafford, and Rehwinkel Vasilinda—

CS/HB 765—A bill to be entitled An act relating to animal protection; amending s. 474.203, F.S.; providing circumstances that render inapplicable certain veterinary licensure exemptions pertaining to part-time and independent contractors; providing circumstances that render inapplicable an exemption for certain employees under supervision; amending s. 500.451, F.S.; prohibiting specified acts relating to horsemeat for human consumption; providing penalties; increasing the classification of offenses related to horsemeat for human consumption; providing for suspension of licenses of certain businesses for offenses related to horsemeat; providing mandatory minimum penalties; amending s. 828.073, F.S.; revising procedures for law enforcement officers and certain animal cruelty prevention agents to file

petitions in custody proceedings involving neglected animals; directing county courts to expedite the commencement of such proceedings; exempting animal owners from payment of the care provided for their animals during such proceedings under certain circumstances; revising the period within which written notice of such proceedings must be served; deleting a provision requiring publication of notices of such proceedings under certain circumstances; revising provisions relating to remand of neglected animals directly to the seizing officer or agent for disposition; amending s. 828.125, F.S.; revising provisions prohibiting certain acts relating to horses to apply to all horses regardless of breed; providing mandatory minimum penalties for violations involving horses or certain cattle; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Governmental Affairs Policy Committee; Representative McKeel—

CS/HB 1207—A bill to be entitled An act relating to campaign financing; amending s. 103.081, F.S.; permitting the use of a political party's name, abbreviation, or symbol by an affiliated party committee under certain circumstances; creating s. 103.092, F.S.; providing for the establishment of affiliated party committees; providing a definition; delineating duties and responsibilities of such committees; amending s. 103.121, F.S.; requiring certain assessments to be paid to an affiliated party committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition and to allow contributions to an affiliated party committee; adding an affiliated party committee to the list of entities not considered a political committee under chapter 106, F.S.; revising the definition of the term "independent expenditure" to specify that certain expenditures are not considered an independent expenditure; revising the definition of the term "person" to include an affiliated party committee; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization"; amending s. 106.021, F.S.; providing that certain expenditures by an affiliated party committee are not considered a contribution or expenditure to or for a candidate; amending s. 106.025, F.S.; exempting an affiliated party committee from certain campaign fund raising requirements; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.04, F.S.; requiring that a committee of continuous existence report receipts from and transfers to an affiliated party committee; amending s. 106.0701, F.S.; exempting an affiliated party committee from certain filing requirements; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; requiring an affiliated party committee to file certain reports with the Division of Elections; providing that a report filed by the leader and treasurer of an affiliated party committee is considered to be under oath; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; providing that an affiliated party committee is treated like a political party regarding limitations on contributions; deleting the 28-day restriction on acceptance of certain funds preceding a general election; placing certain restrictions on solicitation for and making of contributions; providing guidelines for acceptance of in-kind contributions; adding an affiliated party committee to entities subject to penalties; creating s. 106.088, F.S.; requiring the subscribing to an oath or affirmation prior to receipt of certain funds;

providing the form of the oath; providing penalties; providing that undistributed funds shall be deposited into the General Revenue Fund; amending s. 106.113, F.S., relating to expenditures by local governments; revising definitions; prohibiting a local government, or a person acting on behalf of a local government, from making a specific appropriation or designated expenditure of moneys under the jurisdiction or control of the local government; prohibiting certain persons or groups from accepting such moneys for the purpose of certain political advertisements; deleting an exception for certain electioneering communications; clarifying that certain provisions of state law do not preclude certain officials from expressing an opinion on an issue at any time; amending s. 106.141, F.S.; adding affiliated party committees to the list of entities to which a candidate may donate surplus funds; amending s. 106.143, F.S.; requiring an affiliated party committee, like a political party, to obtain advance approval by a candidate for political advertisements; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; revising the definition of the term "person" to include an affiliated party committee; providing penalties; amending s. 106.165, F.S.; adding affiliated party committees to the entities that must use closed captioning and descriptive narrative in all television broadcasts; amending s. 106.17, F.S.; adding affiliated party committees to those entities authorized to conduct polls and surveys relating to candidacies; amending s. 106.23, F.S.; providing that an affiliated party committee shall be provided an advisory opinion by the Division of Elections when requested; amending s. 106.265, F.S.; authorizing the imposition of civil penalties by the Florida Elections Commission for certain violations by an affiliated party committee; amending s. 106.27, F.S.; adding affiliated party committees to those entities subject to certain determinations and legal disposition by the Florida Elections Commission; amending s. 106.29, F.S.; requiring filing of certain reports by an affiliated party committee; providing restrictions on certain expenditures and contributions; providing penalties; amending s. 11.045, F.S., relating to lobbying before the Legislature; excluding contributions and expenditures by an affiliated party committee from the definition of the term "expenditure"; amending s. 112.312, F.S.; providing that certain activities pertaining to an affiliated party committee are excluded from the definition of the term "gift"; amending s. 112.3215, F.S., relating to lobbying before the executive branch or the Constitution Revision Commission; excluding contributions and expenditures by an affiliated party committee from the definition of the term "expenditure"; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/HB 573—Referred to the Health & Family Services Policy Council.

First-named Sponsors

HB 31—Evers

Cosponsors

HB 7—Reagan

HB 9—Bullard

CS/HB 23—Garcia

HB 31—Burgin

HB 93—Homan

HB 121—Homan

HB 133—Culp, Homan

HB 141—Burgin

HB 169—Steinberg

HB 189—A. Williams

HB 249-Rouson, Tobia

HM 253—Burgin, Planas, Rogers

HB 381-Nehr

CS/HB 399—Hukill

HB 447—Stargel, Weatherford

HB 451—Homan

HM 481—Culp, Homan

HB 517—Schwartz, Steinberg

HB 555-Reagan

HB 607—Culp, Homan, Horner

CS/HB 617—T. Williams

HB 671—Fetterman

HB 799—Homan

HB 881-Braynon

HB 943-Homan, Porth

HB 969—Culp, Homan, Rogers

HB 1009—Burgin, Heller

HB 1111—Adkins, Homan, Porth

HB 1145-T. Williams

HB 1147—T. Williams

HB 1179—McBurney

HM 1199—Culp, Homan

HB 1241—Ford

HB 1389—Culp, Homan

HB 1391—Homan

HJR 1399-Burgin

HB 1449—Burgin, Plakon

HM 1459—Saunders

HB 1517—Snyder

HB 1539—Culp, Homan

HR 1561-Plakon

CS/HB 7033—Ambler

Withdrawals as Cosponsor

HB 31-Evers

Reports of Standing Councils and Committees

Received March 3:

The Economic Development & Community Affairs Policy Council reported the following favorably:

HB 7021

The above bill was placed on the Calendar of the House.

Received March 4:

The Finance & Tax Council reported the following favorably: HB 109 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 109 was laid on the table.

The Agriculture & Natural Resources Policy Committee reported the following favorably:

HB 301 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 301 was laid on the table.

The Government Operations Appropriations Committee reported the following favorably:

CS/HB 527

The above committee substitute was transmitted to the next council or committee of reference, the General Government Policy Council.

The Agriculture & Natural Resources Policy Committee reported the following favorably:

HB 569 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 569 was laid on the table.

The Transportation & Economic Development Appropriations Committee reported the following favorably:

HB 609

The above bill was transmitted to the next council or committee of reference, the Economic Development & Community Affairs Policy Council.

The Military & Local Affairs Policy Committee reported the following favorably:

HB 665 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 665 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:

HB 701

The above bill was transmitted to the next council or committee of reference, the Criminal & Civil Justice Policy Council.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:

HB 707

The above bill was transmitted to the next council or committee of reference, the Policy Council.

The Agriculture & Natural Resources Policy Committee reported the following favorably:

HB 753

The above bill was transmitted to the next council or committee of reference, the Economic Development & Community Affairs Policy Council.

The Agriculture & Natural Resources Policy Committee reported the following favorably:

HB 765 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 765 was laid on the table.

The Governmental Affairs Policy Committee reported the following favorably:

HB 1207 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1207 was laid on the table.

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